THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.919 of 2006

Dated:17.08.2006

Between:

Bathala Obayya.

…Petitioners

and

The District Collector, Nellore, and others.

…Respondents

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.919 of 2006

ORDER:

The petitioner was assigned land admeasuring Acs.4.44 cents in Survey No.1667 situated at Duttaluru Village and Mandal in Nellore District, by way of D-Form patta dated 27.08.1965. The petitioner is allegedly cultivating the land. The third respondent issued a show cause notice bearing No.R.C.B.975/2005, dated 28.12.2005, calling upon the petitioner to show cause as to why the land should not be resumed to the Government as the petitioner never cultivated the land and alienated the same in favour of one Kambham Venkata Subba Reddy. The petitioner filed the instant Writ Petition aggrieved by the said show cause notice.

After hearing the learned Counsel for the petitioner and the learned Assistant Government Pleader for Revenue (Assignment), this Court is not inclined to accept the Writ Petition. Ordinarily, no Writ Petition would lie against a show cause notice. The petitioner has already submitted explanation, and therefore, the third respondent should consider the explanation before passing any orders for resumption of the land. No relief can be granted in this Writ Petition.

The Writ Petition is accordingly dismissed. No costs.

(V.V.S.RAO, J)

17.08.2006
vs